

REMARKS

This is a full and timely response to the Office Action of April 6, 2006. Reconsideration and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this Response, claims 1-26 and 29-32 are pending in this application. Claims 1, 11-13, and 21-23 have been amended. Claims 27-28 have been withdrawn by the Examiner. In addition, Applicants affirm the election noted in the Office Action. The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims. Applicants believe that no new matter has been added by the amendments and that a new search is not necessary.

CLAIMS

Claim 1

Claim 1 is rejected under 35 U.S.C. §103(a) as purportedly being anticipated by Wada et al. (U.S. Patent No. 6,583,197) and Akahane et al. (U.S. Patent No. 5,063,257) in view of Wada. Amended claim 1 reads as follows:

1. A composition, comprising:
 - a basic component;
 - an acidic component;
 - at least one acrylate component;
 - oxidizing agent;
 - reducing agent;
 - a plurality of fibers***; and
 - a binder comprising a viscosity modifier and a surface tension modifier, the binder capable of stimulating a reaction between the basic component and the acidic component and wherein a portion of the binder is capable of undergoing a polymerization reaction between at least one acrylate component, the oxidizing agent, and the reducing agent, wherein the polymerization reaction being initiated by the redox reaction between the oxidizing agent and the reducing agent.

(Emphasis added). Applicants traverse each of the §103 rejections in the Office Action and submit that the rejection of claim 1 under 35 U.S.C. §103 in view of each Wada and Akahane should be withdrawn because the references, individually or in combination, do not disclose, teach, or suggest each and every feature of claim 1 above. In particular, Applicants traverse the position that one skilled in the art would have used a fluorosurfactant in view of either Wada and/or Akahane. However, in an effort to expediate issuance of the pending claims, claim 1 has been amended to overcome the cited reference.

Wada and Akahane do not, individually or in combination, disclose, teach, or suggest “a plurality of fibers,” in combination with the other components recited in claim 1. Neither Wada nor Akahane disclose, teach, or suggest the use of fibers in the composition. Therefore, the rejection of claim 1 should be withdrawn.

Claims 2-26 and 29-32

Applicants respectfully submit that pending dependent claims 2-26 and 29-32 include every feature of independent claim 1 and that Wada and Akahane each fail to disclose, teach, or suggest, individually or in combination, at least the features of claim 1 highlighted hereinabove. Thus, pending dependent claims 2-26 and 29-32 are also allowable over the prior art of record. In re Fine, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Conclusion

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

In addition, any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'CBL', is written over a horizontal line.

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CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

on 6/16/06

Sara Rogers
Sara A. Rogers

In Re Application of:

Farr, et al.

Serial No.: 10/817,047

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Group Art Unit: 1713

Examiner: Satya B. Sastri

Docket No. HP: 200313424-1
TKHR: 050834-1370

The following is a list of documents enclosed:

Return Postcard
Amendment
Amendment Transmittal Sheet